



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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DIVISION OF SOCIAL JUSTICE
ENVIRONMENTAL PROTECTION BUREAU

June 1, 2022

VIA ECF

Magistrate Judge Lois Bloom
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Seggos et al. v. Datre et al.*, Civil Action No. 2:17-cv-02684-MKB-LB

Dear Magistrate Judge Bloom:

In accordance with Your Honor's scheduling order, dated March 15, 2022, the parties¹ provide this status report. Since issuance of the order, plaintiffs have propounded document requests and interrogatories to the eight construction contractor defendants who remain active in the litigation, and defendant New Empire Builder Corp. also propounded document requests and interrogatories. Responses to the various discovery requests are pending. Plaintiffs intend to propound further fact discovery and issue third party subpoenas. Plaintiffs are also taking steps to retain an expert to conduct a natural resource damages assessment.

In addition, as directed in Your Honor's March 15 order, plaintiffs and New York Major Construction Inc. filed a motion for approval of their settlement, which the Court approved on April 26. Plaintiffs and some remaining defendants have exchanged communications regarding settlement but no agreements have been reached.

¹ The parties providing this status update are plaintiffs and those represented defendants who remain active in this case: All Island Masonry & Concrete, Inc.; Building Dev Corp.; Cipriano Excavation Inc.; Daytree at Cortland Square Inc.; Dimyon Development Corp.; East Coast Drilling NY Inc.; East End Materials, Inc.; ILE Construction Group, Inc.; and New Empire Builder Corp.

The parties are available to provide additional status information to the Court if requested.

Sincerely,

/s/ Philip Bein

Philip Bein
Senior Counsel

cc: All counsel (by ECF)

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